UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,581	05/30/2001	Koki Uchiyama	CA1073	9236

23493	7590	10/24/2003

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EXAMINER
LE, MIRANDA

ART UNIT	PAPER NUMBER
2177	

DATE MAILED: 10/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
> - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
> - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>30 May 2001</u> .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-6</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-6</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>30 May 2000</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u> .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless:
>
> (e) the invention was described in
>
> (1) an application for patent, published under section 122(b), by another filed in the United States before
> the invention by the applicant for patent or
>
> (2) a patent granted on an application for patent by another filed in the United States before the invention
> by the applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only
> if the international application designated the United States and was published under Article 21(2) of such
> treaty in the English language.

2.   Claims 1-5, 7-13, 16, 19, 22, 25-29 are rejected under 35 U.S.C. 102(e) as being

anticipated by Chaddha et al. (US Patent No. 6,476,833 B1).

Chaddha anticipated independent claims 1, 2, 3, 4, 5, 6, by the following:

As per claim 1, Chaddha teaches "a method of retrieving information from one or more

information sources in a search space, said method comprising: providing central program code

at a central computer; said central program code being adapted for maintaining a central database

of data records, for accessing information from said information sources, and for comparing said

data records with said information from said information sources" at col. 2, line 49 to col. 3, line

51, col. 4, lines 1-39, Fig. 2;

"recognizing communication between said central program code and remote program

code at each of a plurality of remote terminals; said remote program code being adapted for

monitoring network activity at each of said plurality of remote terminals, for collecting

monitored data related to said network activity and to each of said information sources accessed

by any of said plurality of remote terminals, and for transmitting said monitored data to said

central program code" at col. 2, line 49 to col. 3, line 51, col. 5, lines 23-48, Fig. 2;

."aggregating, at said central computer, said monitored data transmitted from said

remote program code at all of said plurality of remote terminals and supplementing

said data records in accordance with said monitored data" at col. 5, lines 22-48, col. 6, lines 11-

21, Fig. 4, Fig. 2;

"responsive to a request for information from one of said plurality of remote terminals,

identifying candidate response information from said information sources by employing said

central program code at said central computer" at col. 4, lines 39-54, col. 5, lines 22-48, col. 6,

lines 52-67, col. 7, lines 10-64, Fig. 5 (510), Fig. 2 (215);

"comparing said data records with said request and with said candidate response

information by employing said central program code at said central computer" at col. 4, lines 39-

54, col. 5, lines 22-48, col. 6, lines 52-67, col. 7, lines 10-64, Fig. 5 (510), Fig. 2 (215);

"and as a result of said identifying and said comparing, transmitting, to said remote

program code at said one of said plurality of remote terminals, data concerning one or more of

said information sources which contain information relevant to said request" at col. 4, line 64 to

col. 5, line 33, col. 5, line 48, Fig. 5 (step 330).

As per claim 2, Chaddha teaches "a central data aggregation system for accumulation of data related to one or more information sources in a search space, said system comprising: remote program code at a plurality of remote terminals; said remote program code being adapted for monitoring network activity at each of said plurality of remote terminals, for collecting monitored data related to said network activity and to each of said information sources accessed by any of said plurality of remote terminals, and for transmitting said monitored data" at col. 2, line 49 to col. 3, line 51, Fig. 2;

"a central computer having central program code capable of communicating with said remote program code and receiving said monitored data transmitted from said remote program code at all of said plurality of remote terminals; said central program code being adapted for maintaining a central database of data records and for accessing information from said information sources" at col. 2, line 49 to col. 3, line 51, col. 4, lines 9-65, Fig. 2;

"wherein said central database comprises at least one data record relating to each of said information sources accessed by at least one of said plurality of remote terminals, and wherein said central computer has additional program code adapted for aggregating said monitored data transmitted from said program code at all of said plurality of remote terminals and for supplementing said data records in accordance with said monitored data" at col. 2, line 49 to col. 3, line 51, col. 4, lines 9-65, Fig. 2.

As per claim 3, Chaddha teaches "a distributed monitoring system for collection and accumulation of data related to one or more information sources in a search space, said system comprising: a central computer having central program code adapted for maintaining a central

database of data records related to said information sources" at col. 2, line 49 to col. 3, line 51,

col. 4, lines 9-39, Fig. 2;

"remote program code capable of communicating with said central program code and

adapted for monitoring network activity at each of a plurality of remote terminals, for collecting

monitored data related to said network activity and to each of said information sources accessed

by any of said plurality of remote terminals, and for transmitting said monitored data to said

central program code" at col. 2, line 49 to col. 3, line 51, col. 4, lines 9-39, Fig. 2;

"wherein said central computer has additional program code adapted for supplementing

said data records in accordance with said monitored data" at col. 2, line 49 to col. 3, line 51, col.

5, lines 22-48, Fig. 2

As per claim 4, Chaddha teaches "a method of retrieving information from one or more

information sources in a search space, said method comprising: accumulating monitored data

related to each of said information sources accessed by any of a plurality of remote terminals" at

col. 3, line 63 to col. 4, line 19, col. 4, lines 39-54, col.. 6, lines 21-33, Fig. 2;

"transmitting said monitored data from each of said plurality of remote terminals to a

central computer" at col. 4, lines 39-65, col. 1, line 53 to col. 2, line 16, Fig. 2;

"aggregating, at said central computer, said monitored data transmitted by all of said

plurality of remote terminals" at col. 5, lines 22-48, col. 6, lines 11-21, Fig. 4, Fig. 2;

"responsive to a request for information, accessing information from said information

sources and comparing said monitored data with said request and with said information from said

information sources" at col. 4, lines 39-54, col. 5, lines 22-48, col. 6, lines 52-67, col. 7, lines 10-

64, Fig. 5 (510), Fig. 2 (215);

"as a result of said accessing and said comparing, identifying one or more of said

information sources which contain information relevant to the request" at col. 4, line 64 to col. 5,

line 33, col. 5, line 48, Fig. 5 (step 330).

As per claim 5, Chaddha teaches "a method of retrieving information from one or more

information sources in a search space, said method comprising: accumulating monitored data

related to each of said information sources accessed by any of a plurality of remote terminals" at

col. 3, line 63 to col. 4, line 19, col. 4, lines 39-54, col.. 6, lines 21-33, Fig. 2;

"aggregating said monitored data at a central computer" at col. 5, lines 22-48, col. 6, lines

11-21, Fig. 4, Fig. 2;

"responsive to a request for information, comparing said monitored data with said request

and with information from said information sources" at col. 4, lines 39-54, col. 5, lines 22-48,

col. 6, lines 52-67, col. 7, lines 10-64, Fig. 5 (510), Fig. 2 (215);

"identifying one or more of said information sources in accordance with said comparing"

at col. 4, line 64 to col. 5, line 33, col. 5, line 48, Fig. 5 (step 330).

As per claim 6, Chaddha teaches "an open recommendation system for retrieval of

information from one or more information sources in a search space, said system comprising:

a distributed monitoring system adapted to collect monitored data related to said information

sources" at col. 3, line 63 to col. 4, line 65, col. 6, lines 11-63, Fig. 2;

"a central data aggregation system adapted to receive said monitored data from said

distributed monitoring system and to store said monitored data at a central computer" at col. 5,

lines 22-48, col. 6, lines 11-21, Fig. 4, Fig. 2;

"wherein said open recommendation, in response to a request for information, compares

said monitored data related to said information sources with said request and then recommends

information sources for which said monitored data is similar to said request" at col. 4, lines 39-

54, col. 5, lines 22-48, col. 6, lines 52-67, col. 7, lines 10-64, Fig. 5 (510), Fig. 2 (215).

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's
disclosure.

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Miranda Le whose telephone number is (703) 305-3203. The
examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.
If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, John E. Breene, can be reached on (703) 305-9790. The fax number to this Art Unit
is (703) 872-9306. The TC 2100's Customer Service number is (703) 306-5631. .

Any inquiry of a general nature or relating to the status of this application should be
directed to the Group receptionist whose telephone number is (703) 305-3900.

Miranda Le
October 14, 2003

GRETA ROBINSON
PRIMARY EXAMINER